

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 10-04376-GAF (PJWx)	Date	May 31, 2011
Title	Alan Niven v. Richard Brewster et al		

Present: The Honorable	GARY ALLEN FEES
------------------------	------------------------

Renee Fisher	None	N/A
Deputy Clerk	Court Reporter / Recorder	Tape No.
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:	
None	None	

Proceedings: (In Chambers)

ORDER TO SHOW CAUSE RE: DISMISSAL FOR LACK OF PROSECUTION

Plaintiff(s) are **ORDERED** to show cause why this case should not be dismissed, for lack of prosecution as to certain defendants. Link v. Wabash R. Co., 370 U.S. 626 (1962) (court has inherent power to dismiss for lack of prosecution on its own motion). In this matter:

- ☒ **Plaintiff(s) have failed to file a proof of service within 120 days** of the filing of the Complaint as to defendants Naycoda Pty Ltd. and Flashpoint Music Pty Ltd. Plaintiff(s) can satisfy this order by showing that service was effectuated within the 120 day deadline or by showing good cause for the failure to do so. Fed. R. Civ. P. 4(m).
- ☒ Defendant(s) Richard Brewster and John Brewster did not answer the complaint, yet **Plaintiff(s) have failed to request entry of default**, pursuant to Fed. R. Civ. P. 55(a). Plaintiff(s) can satisfy this order by seeking entry of default or by dismissing the complaint.

Plaintiffs must respond to this order within 20 days. **Failure to respond to this OSC will be deemed consent to the dismissal of the action as to these defendants.**

IT IS SO ORDERED.